



Retiring Lake Plans to Teach, Travel, 'S

By Jesse Poindexter

Staff Reporter

RALEIGH — Associate Justice I. Beverly Lake of the N.C. Supreme Court, who rallied the state's political conservatives in two memorable but unsuccessful campaigns for governor — 1960 and 1964 — is going to stand before a law class once again.

Lake, a law professor at "old" Wake Forest College before that institution was moved to Winston-Salem in 1955, will retire at the end of the month, two days after he celebrates his 72nd birthday and one day short of 13 years after he was seated on the high court.

He was bumped by the law that makes retirement of judges mandatory at the end of the year in which they become 72 years old. Lake chose to leave four months early in order to join the faculty of the Campbell College Law School at Bales Creek.

And Lake thinks mandatory retirement of judges at that age is a good thing.

"While some judges past 72 are mentally and physically able to do excellent work on the appellate courts — retired Chief Justice William H. Bobbitt and retired Associate Justice Carli-

sle W. Higgins are notable examples — many others cannot," he said.

"It is very difficult for a man to realize that he is losing his energy... his vigor... and it's embarrassing for his friends to tell him so. This kind of work is taxing and it's tiring, and I think age 72 is long enough for a man to try to do it."

Lake has mellowed on many things since he emerged as in 1955 as one of the most vocal opponents of public school integration in the state, but he has not moderated his opinion of the National Association for the Advancement of Colored People.

In 1955, he characterized the NAACP as "the enemy" and called on the people to "fight the NAACP county by county, city by city and classroom by classroom to preserve our public schools as long as possible. It will be a bitter fight... we shall not surrender."

This attack on the NAACP was renewed in his 1960 campaign for the Democratic nomination for governor. Lake ran second to Terry Sanford in the first primary, but lost to Sanford in the run-off. His state campaign manager was Robert B. Morgan, now a U.S. senator.

Fourteen years later, when Morgan was a

candidate for the U.S. Senate in 1974, Morgan appeared before a NAACP group at Charlotte and said, in effect, that he had managed Lake's 1960 campaign because Lake was once his law professor and friend.

This statement angered Lake and created a breach between the two men that has not been repaired.

Before Morgan's appearance before the NAACP, Lake had circulated a letter warmly endorsing Morgan for the Senate. After the appearance, Lake got out another letter withdrawing that support and harshly criticizing his state campaign manager of 1960. Lake still contends that Morgan's statement to the NAACP was designed to convey the impression that, in agreeing to manage Lake's campaign that year, Morgan yielded reluctantly to the request of an old friend and law professor at Wake Forest. Not so, Lake said last week. He maintained that, in 1960, Morgan urged him to become a candidate for governor because Morgan shared his views on the public schools and on other issues of that campaign, including an antipathy toward the NAACP.

"I thought I ought to correct that impression,

and that is why I wrote that second letter in 1974," Lake explained. "Beyond meeting and shaking hands on the street, and saying 'how are you, Senator?' I haven't spoken to Bob Morgan since 1974."

Lake added that he has not had any reason to change his attitude toward the NAACP during the more than 20 years since he first singled out that organization as "the enemy." He said Morgan agreed with him then, and "I still think... I was correct in saying that."

In 1964, four years after he lost to Sanford, Lake was back in the race for the Democratic nomination for governor, along with Dan K. Moore and L. Richardson Preyer. Preyer led in the first primary, and Moore was second. But Lake polled an impressive 217,172 votes.

Before the second primary between Preyer and Moore, Lake publicly endorsed Moore and then appeared on television to praise Moore and fault Preyer. Moore welcomed Lake's endorsement and stated publicly that it "assures my election as governor."

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See Retiring, Page A3

Travel, 'Stay Busy'

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I. Beverly Lake

Retiring N.C. Judge Will Teach, Travel

Continued From Page A1

have "an important voice in my administration." And they did.

Moore was sworn in as governor in January 1965, and in August he appointed Lake to fill the vacancy on the Supreme Court created by the retirement of Associate Justice William B. Rodman, who was 76. Lake took his seat on the high court Aug. 30, 1965.

After the appointment was announced, Moore was asked if he had promised Lake anything in return for his endorsement the year before. He replied that Lake "did not ask for any appointment (as a quid pro quo), and no appointment was offered."

Last week, 14 years after he threw his support to Moore, and 13 years after his appointment, Lake said essentially the same thing. "No requests were made (of Moore)," Lake said, "and nothing was promised."

In 1964, the "Lake People's Organization" was formed as a "A Voice For Conservative Democrats." This organization tried to persuade Lake to resign from the Supreme Court and run for governor again in 1968. But Lake chose to remain on the high court.

However, 14 years after the fact, Lake still carries in his billfold his membership in the organization named for him. It was issued in 1964, to expire on June 30, 1965. "In the course of time," Lake said, "it just faded away as an organization."

Lake has strong opinions, as demonstrated by his reaction to a request that he donate his official papers to East Carolina University at Greenville, where "some kind of restrictions" had been imposed on the Confederate flag and the song "Dixie."

The letter Lake wrote to President Leo Jenkins of ECU in 1969 said, in part: "I do not care to have anything belonging to me in the custody of an institution that finds it necessary to apologize for displaying the Confederate flag and singing Dixie."

Did ECU ultimately get the papers? "No," Lake said last week, "I've still got them. They haven't asked me for them any more."

Through the years, Lake has accused the U.S. Supreme Court of "judicial tyranny" in its interpretation of the Constitution, but he said it is "more conservative now" than it was seven or eight years ago.

"I hope it will continue to improve in that respect," Lake said. "I hope that, but I don't know that I can say that I foresee that."

Lake grew up in the village of Wake Forest, and he still lives there in a white frame house on North Main Street that he bought while a law

professor at "old" Wake Forest College. But he lives alone. Mrs. Lake, whom he married in 1932, died in 1975.

Many would-be lawyers were exposed to his lectures on constitutional law while he was a professor there from 1932 to 1951, and he had many "exceptional" students. But Lake said his most outstanding class, "top to bottom," was the Class of 1950.

That class was composed largely of men who had served in World War II. "We knew these boys had seen it all," Lake said, "and, frankly, we were somewhat apprehensive. But we soon learned that they were dead serious. They were out to make up for lost time."

The Wake Forest College Law School Class of 1950 included:

—Robert B. Morgan, U.S. Senator; Hiram Ward, U.S. District Court judge; Marvin R. Wooten, former chairman of the Utilities Commission; William Z. Wood and Henry G. Stevens, Superior Court judges; and Perry Martin, former Superior Court judge.

—George Anderson, U.S. attorney for the Eastern District; Claude M. Hamrick, general counsel for McLean Trucking Co.; Foy Clark, District Court judge; and Charles H. Randleman, former state senator and former solicitor and judge of Surry County Court.

Several other members of that class have served or are serving now as members of the General Assembly or as District Court judges. Some, such as Allen Bailey of Charlotte, have established glittering reputations in their private law practices.

Lake has committed himself only for the fall semester at the law school at Campbell College, whose president is Dr. Norman Wiggins, a former law professor at Wake Forest University in Winston-Salem. Wiggins was one of Lake's students at old Wake Forest.

After this commitment has been honored, Lake plans to visit old friends he has been too busy to see, and travel. "I've always wanted to make two trips," he said — and he described them:

—To Quebec, the capital of Canada, and then take the Canadian Pacific Express train at Montreal for a trip across the country, through the Canadian Rockies, to Vancouver on the Pacific Coast, and back again.

—A leisurely cruise through the Mediterranean, touching at some of the islands and some of the sites of ancient cities that he has read about all his life, but has never had the opportunity to visit. "I'll stay busy," Lake concluded. "I always have."

BEGIN STUDIES IN BANKING



I. BEVERLY FAYE, *Lake*
Raleigh Attorney.

The Raleigh Chapter of the American Institute of Banking began its regular fall classes last night with John P. Stedman, vice-president of the North Carolina Bank and Trust Company, as instructor in credit management. This class will be held each Wednesday night at 7:30 at N. C. State College.

The Institute is also offering a class in Commercial Law which will be taught by I. Beverly Faye, graduate of Wake Forest College and Harvard University, who has been practicing law in Raleigh for more than a year. This class will meet each Thursday night at 7:30 at State College.

LAKE TO RETURN TO LAW FACULTY

District Rationing Executive To Return to Wake For- est Faculty Oct. 1

I. Beverly Lake has resigned as district rationing executive for the Raleigh district OPA and will return to the faculty of Wake Forest College on October 1.

Lake on Wednesday announced intention of returning to his peacetime duties as professor of law in the Wake Forest-Duke Law School, now being held on the Duke campus.

He joined OPA in Washington in 1942 as attorney in the sugar rationing program. He came to Raleigh to serve as rationing attorney in May, 1943, and was named district rationing executive, succeeding W. Hance Hoffer of Durham, in February 1945.

District OPA Director Theodore S. Johnson said yesterday that "the services Mr. Lake has rendered OPA have been of the very highest order. His first duties in Washington involved the formation of the nation-wide sugar rationing regulations, and his work in the Raleigh district office elevated him to the direction of the entire rationing division. Mr. Lake feels that he has fulfilled his wartime duties and has resigned as of October 1 to return to his duties with Wake Forest College."

Lake served as Acting District Director of the Raleigh office on numerous occasions in the absence of Director Johnson. **AP-B - 3-4-45, 8, 1945.**

day, July 17, 1942 **Old City Back**



WAKE OPA MAN

Dr. Beverly Lake of the local law school, who has recently been with the Office of Price Administration in Washington, returned to Wake Forest Sunday after a protracted illness. He came from the Peter Brent Brigham hospital in Boston, where he lately underwent a heart operation. He will not return to his duties with the OPA in Washington until in the fall, it is announced.

Dr. Lake was taken ill on April 7. He spent six weeks in the Duke hospital in Durham and then went to the Brigham hospital in Boston for special treatment.